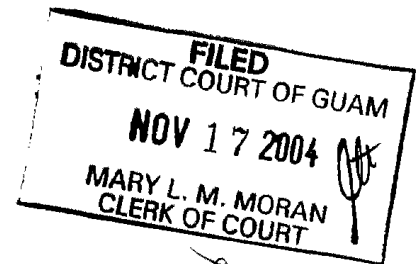


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IN THE U.S. DISTRICT COURT
OF GUAM

FRANCISCO QUITUGUA,

CIVIL CASE NO. 04-00040

Plaintiff,

vs.

UNITED STATES OF AMERICA,

DECLARATION IN SUPPORT
OF LODGEMENT

Defendant.

_____/

I, Mark Williams, declare under penalty of perjury that the following is true and correct:

1. That I am over the age of 18 years and am competent to make this declaration.
2. This Law Office represents the Plaintiff in the above-captioned matter.
3. By letter dated November 12, 2004, Plaintiff's counsel contacted the offices of the defendant to provide the Proposed Scheduling Order and Discovery Plan.

ORIGINAL

DECLARATION IN SUPPORT OF LODGEMENT

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4. Following the above correspondence, Plaintiff's counsel contacted the defendant's offices for followup on the status of the above Proposed Scheduling Order, which calls have not been returned.
5. To the present, the Proposed Scheduling Order has not been returned.
6. Because the Proposed Scheduling Order must be filed immediately, and the defendant has not responded to Plaintiff's attempts to communicate regarding such, the Proposed Scheduling Order is being lodged with the Court *without* the signatures of the Defendant's counsel.

Dated: November 17, 2004.

THE LAW OFFICES OF MARK E. WILLIAMS, P.C.

By:



MARK WILLIAMS, Esq.

Attorney for Plaintiff